

Message Text

PAGE 01 STATE 059641
ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 /026 R

DRAFTED BY EUR/CE:JKORNBLUM:DHT
APPROVED BY "UR:AAHARTMAN
EUR/CE:DANDERSON
S/S:MR. SEBASTIAN
-

-----172149Z 091280 /U5

O R 172021Z MAR 77
FM SECSTATE WASHDC
TO AMEMBASSY BONN IMMEDIATE
INFO AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY BERLIN
AMEMBASSY MOSCOW
USMISSION NATO
USMISSION EC BRUSSELS
USMISSION USBERLIN

C O N F I D E N T I A L STATE 059641

EXDIS

E.O. 11652: GDS

TAGS: PFOR, PGOV, EEC, WB, GW, US, UK, FR, UR

SUBJECT: MARCH 14 HARTMAN-VAN WELL DISCUSSION ON
BERLIN MATTERS

1. TOPICS COVERED DURING HARTMAN-VAN WELL DISCUSSION OF
BERLIN MATTERS ON MARCH 14 INCLUDED A)TREATMENT OF
BERLIN AT FOUR POWER SUMMIT; B)BERLIN AND THE EC;
C)INTERFLUG OVERFLIGHT RIGHTS; D)US PROPOSAL FOR STUDY
OF BERLIN VIABILITY; AND E)EXTENSION OF TREATIES TO BE LIN.
CONFIDENTIAL

PAGE 02 STATE 059641

2. BERLIN AT FOUR POWER SUMMIT: HARTMAN NOTED THAT THE
SERIES OF SUMMIT MEETINGS IN EARLY MAY WOULD REQUIRE
ADJUSTMENT OF THE NORMAL PATTERN OF BERLIN MEETINGS WHICH
USUALLY PRECEDE THE NATO MINISTERIAL. A FURTHER QUESTION

WOULD BE WHETHER THE FOUR POWER SUMMIT SHOULD RESULT IN A
STATEMENT ON BERLIN.

3. CONCERNING THE ORGANIZATIONAL QUESTIONS, HARTMAN
ASSUMED THAT THERE WOULD HAVE TO BE A SENIOR LEVEL MEETING

SOMETIME BEFORE THE FOUR POWER SUMMIT, PERHAPS ON MAY 7 OR 8. IT MIGHT ALSO BE NECESSARY FOR THE FOUR MINISTERS TO GET TOGETHER TO TALK ABOUT THE FOUR POWER MEETING, INCLUDING THE BERLIN SUBJECTS WHICH MIGHT BE RAISED. HARTMAN DID NOT BELIEVE THAT THE TRADITIONAL QUAD DINNER WOULD BE NECESSARY, BUT THOUGHT THAT SOME PREPARATION WOULD BE NECESSARY ON BERLIN MATTERS, BOTH FOR THE SUMMIT MEETING ITSELF AND TO APPROVE WHATEVER LANGUAGE ON BERLIN AND GERMANY WAS TO BE INCLUDED IN THE NATO MINISTERIAL COMMUNIQUE. VAN WELL AGREED THAT PREPARATION WOULD BE NECESSARY. HE ASSUMED THAT A WEEK-END GATHERING WOULD BE APPROPRIATE.

3. HARTMAN THOUGHT THAT CONSIDERATION SHOULD ALSO BE GIVEN TO HAVING A STATEMENT ON BERLIN ISSUED AT THE CONCLUSION OF THE FOUR POWER SUMMIT. HE POINTED OUT THAT ISSUANCE OF SUCH A STATEMENT WOULD GIVE LEGITIMACY TO THE BERLIN COVER ATTACHED TO THE FOUR POWER MEETING. THERE WERE ALSO GOOD REASONS FROM A BERLIN POINT OF VIEW TO ISSUE A HIGH LEVEL STATEMENT. VAN WELL AGREED THAT A STATEMENT WOULD BE USEFUL. HE THOUGHT THE FOUR POWERS WOULD HAVE TO STEER A MIDDLE COURSE; THE SITUATION SHOULD NOT BE DRAMATIZED, BUT IT WOULD BE STRANGE IF THE LEADERS OF THE FOUR NATIONS GOT TOGETHER TO DISCUSS BERLIN AND CONFIDENTIAL

PAGE 03 STATE 059641

DID NOT SAY SOMETHING ON THE SUBJECT AFTERWARDS. VAN WELL THOUGHT SUCH A STATEMENT WOULD ALSO BE USEFUL IN ESTABLISHING A FRAMEWORK FOR EAST-WEST DISCUSSIONS WHICH WERE PLANNED IN COMING MONTHS, INCLUDING THE BREZHNEV VISIT TO BONN. PERHAPS IT COULD ALSO BE USEFUL IN THE CONTEXT OF THE FIFTH ANNIVERSARY OF THE QA.

4. HARTMAN SAID WE SHOULD STAY IN TOUCH ON QUESTIONS OF ORGANIZATION. IF THERE WAS AGREEMENT TO GO FORWARD WITH A STATEMENT, THE US WOULD BE WILLING TO SUGGEST A FINAL DRAFT. VAN WELL RESPONDED FAVORABLY.

5. BERLIN AND THE EC: REFERRING TO NEGOTIATIONS BETWEEN THE EC AND THE SOVIET UNION, HARTMAN NOTED THAT THE US WOULD REMAIN ON THE SIDELINES AS FAR AS NEGOTIATING TACTICS WERE CONCERNED. IT WAS HIS PERSONAL VIEW THAT THE EC DID NOT HAVE TO GO AS FAR AS IT HAD IN MAKING AN EXPLICIT REFERENCE TO BERLIN IN THE FISHERIES NEGOTIATIONS. THE STANDARD AREA OF APPLICABILITY CLAUSE WOULD HAVE SERVED THE PURPOSE WITHOUT FURTHER EXPLANATION. HOWEVER, HE REALIZED THAT COMPLICATED POLITICAL ISSUES

WERE INVOLVED. HE WISHED TO STRESS THAT THE US SUPPORTED INCLUSION OF BERLIN IN THESE AGREEMENTS AND THAT WE WOULD LEAVE NEGOTIATING STRATEGY TO EC MEMBERS.

6. VAN WELL COMMENTED THAT THERE HAD BEEN VARIOUS POINTS OF VIEW ON THIS QUESTION IN THE GERMAN GOVERNMENT TOO. IT WAS TOO BAD THAT THE FISHERIES AGREEMENT HAD BEEN FIRST ON THE AGENDA. THE FRG HAD HOPED THAT A PRECEDENT COULD HAVE BEEN ESTABLISHED THROUGH THE EC-COMECON AGREEMENT AND THEN APPLIED TO THE MORE DETAILED NEGOTIATIONS WHERE SPECIFIC INTERESTS WERE AT STAKE. BUT THE FISHERIES NEGOTIATIONS HAD ALREADY BEGUN AND THE CONCLUSION IN BONN HAD BEEN THAT AN EXPLICIT REFERENCE WAS NECESSARY. IF CLARIFICATION WERE NOT
CONFIDENTIAL

PAGE 04 STATE 059641

ACHIEVED, IT WOULD BE A BAD PRECEDENT FOR THE FUTURE. AT THE MOMENT, IT WAS NOT CLEAR WHETHER THE SOVIETS WOULD ACCEPT THE TERRITORIAL CLAUSE AT ALL. THEY HAD AT FIRST WANTED TO PUT SOME REFERENCE IN THE PREAMBLE OF THE AGREEMENT. IT WOULD TAKE TIME FOR THE SITUATION TO BECOME CLARIFIED.

7. HARTMAN COMMENTED THAT THE MAJOR ISSUE STILL BEFORE US WAS THE DIRECT ELECTION OF DEPUTIES TO THE EC PARLIAMENT. HE ASKED ABOUT THE TIMING OF FURTHER ACTION ON THIS ISSUE AND WHETHER THERE WOULD BE FURTHER OCCASIONS ON WHICH THE SOVIETS WOULD FEEL OBLIGED TO SAY SOMETHING.

8. VAN WELL SAID THE NEXT FORMAL STEP WOULD BE ADOPTION OF LEGISLATION IN THE BUNDESTAG WHICH WOULD CONTAIN A BERLIN CLAUSE. AFTER THE LEGISLATION WAS PASSED AND TAKEN OVER IN BERLIN, THE NEXT EVENT WOULD BE THE DIRECT ELECTION ITSELF, AND THE CONCURRENT SELECTION OF BERLIN DEPUTIES BY THE BERLIN HOUSE OF REPRESENTATIVES. THIS WOULD HOPEFULLY BE SOMETIME IN 1978.

9. VAN WELL DOUBTED IF THE SOVIETS WOULD FEEL OBLIGED TO MAKE ANOTHER STATEMENT ON THE ISSUE IN ORDER TO PROTECT THEIR LEGAL POSITION. THE MAJOR STATEMENT WAS MADE AT THE TIME THE PRINCIPLE OF DIRECT ELECTIONS WAS ACCEPTED BY THE EC. ALL THAT REMAINED WAS NATIONAL RATIFICATION OF THIS EC DECISION. THE SOVIETS HAD MADE THEIR POINT AND HAD TAKEN REPRISALS. VAN WELL THOUGHT THE DECEMBER EVENTS AFFECTING THE STATUS OF BERLIN WERE IN PART A REACTION TO INCLUSION OF BERLIN IN THE DIRECTLY-ELECTED PARLIAMENT. NOW THAT THIS HAD BEEN DONE, VAN WELL DID NOT BELIEVE THAT THE WEST WOULD HEAR MUCH MORE FROM THE SOVIETS ON THE QUESTION. THEY WOULD OF COURSE REITERATE THEIR POSITION, BUT THERE WOULD BE
CONFIDENTIAL

PAGE 05 STATE 059641

NO FURTHER MAJOR PROTESTS.

10. VIABILITY STUDY: HARTMAN REFERRED TO THE US PROPOSAL FOR A STUDY ON BERLIN VIABILITY. GIVEN THE OTHER ACTIVITIES PLANNED FOR THE SPRING, HE THOUGHT IT WOULD PROBABLY NOT BE POSSIBLE TO REACH AGREEMENT ON A PAPER BEFORE THE MAY MINISTERIAL. HE WANTED TO STRESS, HOWEVER, THAT THE ENTIRE QUESTION OF BERLIN VIABILITY 'AS VERY IMPORTANT TO THE UNITED STATES. HE THOUGHT CONSIDERABLY MORE ATTENTION SHOULD BE PAID TO THE INTERNAL SITUATION IN BERLIN AND SAID WE VIEWED THE STUDY AS A FIRST STEP TOWARDS DETERMINING WHAT PRACTICAL STEPS COULD BE TAKEN. VAN WELL SAID THE FRG WAS VERY MUCH IN FAVOR OF THE STUDY. HOWEVER, IT WAS HIS IMPRESSION THAT THE FRENCH WERE LESS THAN ENTHUSIASTIC ABOUT THE PROPOSAL,

11. INTERFLUG OVERFLIGHT RIGHTS: HARTMAN SAID THE MAJOR US CONCERN WAS RUMORS WE HAD HEARD THAT THE FRENCH WERE PLANNING TO INITIATE SERVICE BY AIR FRANCE TO SCHOENEFELD. HE THOUGHT VAN WELL WOULD AGREE THAT A SCHOENEFELD SERVICE BY ONE OF THE THREE POWERS WOULD HAVE A NEGATIVE EFFECT ON THE OVERALL CIVIL AIR SITUATION IN BERLIN. HARTMAN WONDERED IF IT WOULD BE POSSIBLE TO PURSUADE THE FRENCH NOT TO START SUCH A SERVICE IF THE FRG FOR ITS PART WERE GRANTING OVERFLIGHT RIGHTS TO INTERFLUG. HARTMAN STRESSED THAT THE US WAS NOT AGAINST THE FRG PROPOSAL IN PRINCIPLE, BUT SAID WE THOUGHT FULL CONSIDERATION SHOULD BE GIVEN TO THE FRENCH ANGLE BEFORE A FINAL DECISION WAS TAKEN.

12. VAN WELL SAID HE HAD NOT HEARD THAT THE FRENCH WERE INTERESTED IN FLYING TO SCHOENEFELD. HE DOUBTED, HOWEVER, THAT THE FRENCH WOULD BE ABLE TO USE FRG AUTHORIZATION OF ONE INTERFLUG SERVICE TO JUSTIFY SUCH A FAR-REACHING STEP. VAN WELL AGREED THT
CONFIDENTIAL

PAGE 06 STATE 059641

COMMENCEMENT OF SERVICE BY AIR FRANCE TO SCHOENEFELD WOULD HAVE DEEP IMPLICATIONS FOR THE OVERALL CIVIL AVIATION REGIME. THE IMPLICATIONS WOULD BE SO GREAT THAT VAN DELL WONDERED WHETHER THE FRENCH, WHO USUALLY GUARDED THEIR RIGHTS IN BERLIN SO CAREFULLY, WOULD REALLY CONSIDER SUCH A STEP. BUT EVEN IF THEY DID, VAN WELL THOUGHT THE COUNTER-ARGUMENTS WOULD BE SO STRONG THAT THE INTERFLUG SERVICE WOULD NOT PROVIDE SUFFICIENT JUSTIFICATION.

13. CONCERNING THE OVER ALL ISSUE OF INTERFLUG RIGHTS, VAN WELL RECALLED THE HISTORY OF EFFORTS TO INCREASE INTERNATIONAL CONNECTIONS TO WEST BERLIN. HE SAID THE GDR HAD NOW ASKED FORMALLY FOR OVERFLIGHT RIGHTS TO

ZURICH AND THE FRG WOULD LIKE TO GIVE A FORMAL REPLY, WHICH NEEDED PRIOR APPROVAL OF THE THREE POWERS. HE ADDED THAT THE MATTER HAD BEEN DISCUSSED INFORMALLY AND THE GDR HAD REJECTED THE BARGAIN OF OVERFLIGHT RIGHTS IN EXCHANGE FOR LUFTHANSA'S RIGHTS TO TEGEL. HOWEVER, THE FRG COULD NOT BE SURE THAT THE GDR WOULD NOT RECONSIDER AND IT BELIEVED IT WAS NECESSARY TO MAKE A FORMAL OFFER OF THE EXCHANGE. HARTMAN TOOK NOTE OF VAN WELL'S ARGUMENTS. HE SAID HE WOULD PROBABLY RAISE THE RUMORS ABOUT AIR FRANCE WITH THE FRENCH AT AN OPPORTUNE TIME.

14. EXTENSION OF TREATIES TO BERLIN: HARTMAN RECALLED CONTINUING FRG INTEREST IN EXTENDING THE CBW CONVENTION TO BERLIN. HE WONDERED IF THE CONVENTION REALLY CONTAINED ENOUGH REFERENCE TO PEACEFUL USE TO JUSTIFY THE RISK OF A BIG FUSS WITH THE SOVIETS OVER THE ISSUE. THERE WAS ALSO THE QUESTION OF ALLIED POWERS IN BERLIN. THE CLOSER SOME OF THESE CONVENTIONS CAME TO SECURITY ISSUES, THE BIGGER THE RISK THAT OUR LEGAL POSITIONS WOULD BE DAMAGED.

CONFIDENTIAL

PAGE 07 STATE 059641

15. VAN WELL RECALLED THAT THE BONN GROUP STUDY ON FOREIGN REPRESENTATION HAD CONTAINED RECOMMENDATIONS ON THE ENTIRE QUESTION OF EXTENDING TREATIES TO BERLIN. HE SAID THE FOREIGN OFFICE WAS PREPARING PROPOSALS FOR IMPLEMENTATION OF THESE SECTIONS OF THE STUDY. WORK HAD BEEN DELAYED BY THE OTHER BURDENS ON THE BONN GROUP, BUT THE GERMAN SIDE HOPED TO HAVE ITS IDEAS READY TO PRESENT IN THE NEAR FUTURE.

VANCE

CONFIDENTIAL

<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: Z
Capture Date: 22-Sep-1999 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC DISCUSSIONS, STATUS OF BERLIN, BERLIN QUADRIpartite MATTERS
Control Number: n/a
Copy: SINGLE
Sent Date: 17-Mar-1977 12:00:00 am
Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE059641
Document Source: ADS
Document Unique ID: 00
Drafter: EUR/CE:JKORNBLUM:DHT
Enclosure: n/a
Executive Order: 11652 GDS
Errors: n/a
Expiration:
Film Number: D770092-0293
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197703111/baaaevlq.tel
Line Count: 255
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Message ID: 41a401b0-c288-dd11-92da-001cc4696bcc
Office: ORIGIN SS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: EXDIS
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 02-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2964923
Secure: OPEN
Status: NATIVE
Subject: MARCH 14 HARTMAN-VAN WELL DISCUSSION ON BERLIN MATTERS
TAGS: PFOR, PGOV, WB, GE, US, UK, FR, UR, EEC, (VAN WELL, GUENTHER), (HARTMAN, ARTHUR A)
To: BONN INFO LONDON MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/41a401b0-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009